

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA	:	CASE NO.
	:	
v.	:	21 U.S.C. § 963
	:	21 U.S.C. §§ 846 and 959
JOAQUIN MARIO VALENCIA-TRUJILLO	:	21 U.S.C. § 848(a)
a/k/a "Oscar Martinez," a/k/a "El Joven,"	:	18 U.S.C. § 1956(a)(1)(2)(h)
a/k/a "El Abogado"	:	

INDICTMENT

The Grand Jury charges:

COUNT ONE

A. INTRODUCTION

At all times relevant to this indictment:

1. JOAQUIN MARIO VALENCIA-TRUJILLO, a/k/a "Oscar Martinez," a/k/a "El Joven," a/k/a "El Abogado" controlled a cocaine trafficking organization which worked in conjunction with various cocaine trafficking cartels in Colombia and elsewhere, including the Cali Drug Cartel, North Valley Drug Cartel, Medellin Drug Cartel and others to manufacture, store and transport cocaine from various countries, including Chile, Ecuador, Colombia, Panama, Mexico and elsewhere to the United States of America (hereinafter the United States) and elsewhere for distribution, sale and profit, and to illegally launder the proceeds of those sales.

2. The Cali Drug Cartel is a drug trafficking organization based in Cali, Colombia.

3. The Medellin Drug Cartel is a drug trafficking organization based in Medellin, Colombia.
4. The North Valley Drug Cartel is a drug trafficking organization based in the northern provinces of Colombia.
5. Unipapel is a commercial paper company in Cali, Colombia owned and operated by defendant JOAQUIN MARIO VALENCIA-TRUJILLO and others.
6. Inversiones Maritimas Del Pacifico Limitada (hereinafter Invermarp) was a commercial fishing company that operated out of Buenaventura, Colombia. Invermarp was later renamed Pesquera La Catalina and continued to operate in Buenaventura, Colombia.
7. Pesca Y Conservas Del Mar, S.A. (hereinafter Ricapesca) was a seafood processing and export company, with a processing plant located in Guayaquil, Ecuador.
8. Comercializadora La Bahia is a commercial fishing company in Tumaco, Colombia.
9. Caribbean Fisheries was a fish import and maritime services company located in Jacksonville, Florida.
10. American Paper, Inc. is a commercial business operating in Miami, Florida.
11. Formas Universales is a shipping company operating out of Panama City, Panama.
12. Clinton Maritime Corporation, later renamed Worldwide Ship Management, LTD was a commercial shipping company operating out of Valparaiso, Chile.

B. THE CONSPIRACY

13. From an unknown date which was no later than 1988, and continuing thereafter up to and including the date of this Indictment, in the Middle District of Florida, and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, willfully and intentionally combine, conspire and agree with other persons whose names are known and unknown to the Grand Jury, to import into the United States, from places outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, in violation of Title 21, United States Code, Section 952.

C. THE MANNER AND MEANS OF THE CONSPIRACY

14. It was part of the conspiracy that members of the conspiracy would and did manufacture cocaine in South America and elsewhere.

15. It was further part of the conspiracy that members of the conspiracy would and did transport cocaine from the interior regions of South America and elsewhere to the west coast of South America.

16. It was further part of the conspiracy that members of the conspiracy would and did pay fees to members of the conspiracy for transporting the cocaine. These fees were in the form of money, a percentage of the cocaine transported, or both.

17. It was further part of the conspiracy that members of the conspiracy would and did store cocaine in Colombia and elsewhere to protect it before it was smuggled into the United States and elsewhere.

18. It was further part of the conspiracy that members of the conspiracy would and did transport cocaine by maritime vessels and/or airplanes from the west coast of South America to Mexico and the United States.

19. It was further part of the conspiracy that members of the conspiracy would and did explore, utilize, and attempt to utilize various smuggling methods and transportation routes, including various maritime, air and land routes, to facilitate the smuggling and distribution of cocaine.

20. It was further part of the conspiracy that members of the conspiracy would and did receive payment for smuggling services with proceeds from the sale of the cocaine, cocaine, or both.

21. It was further part of the conspiracy that members of the conspiracy would and did distribute cocaine in the United States and elsewhere and realize substantial profits from said distributions.

22. It was further part of the conspiracy that members of the conspiracy would and did obtain currency, including United States currency, as payment for the distribution of cocaine (hereinafter referred to as "the illegal proceeds") and surreptitiously deliver the illegal proceeds to Colombia and elsewhere by bulk shipment, wire transfer and other financial transactions.

23. It was further part of the conspiracy that members of the conspiracy would and did open bank accounts in the Middle District of Florida and elsewhere, to promote the carrying on of the conspiracy, conceal or disguise the nature, location, source, ownership, and control of the illegal proceeds as well as transport, transmit, and

transfer the illegal proceeds to benefit the members of the conspiracy and advance the illegal goals of the conspiracy.

24. It was further part of the conspiracy that members of the conspiracy would and did convert the illegal proceeds in the form of United States currency into money orders and deposit said money orders into bank accounts and financial institutions in the Middle District of Florida and elsewhere.

25. It was further part of the conspiracy that members of the conspiracy would and did exchange illegal proceeds in the form of United States currency into other currencies and monetary instruments at financial institutions in the Middle District of Florida, and elsewhere, to disguise the source of the illegal proceeds, disguise the true owners of the illegal proceeds, and to make it available for use by members of the conspiracy.

26. It was further part of the conspiracy that members of the conspiracy would and did pay attorney's fees for conspirators who were arrested in order to learn the methods used by law enforcement to detect drug trafficking activity and to ensure that the arrested conspirators would not cooperate with law enforcement.

27. It was further part of the conspiracy that the members of the conspiracy would and did promise to pay and pay money to the families of arrested conspirators while they were incarcerated in order to prevent them from cooperating with law enforcement.

28. It was further part of the conspiracy that members of the conspiracy would and did facilitate and otherwise advance the goals and objectives of the conspiracy through threats of violence, acts of violence and intimidation.

29. It was further part of the conspiracy that members of the conspiracy would and did utilize false names, false identifications, and other false documentation including fictitious passports and visas, for various activities including, but not limited to, facilitating covert travel, establishing bank accounts and purchasing real and personal property.

30. It was further part of the conspiracy that the members of the conspiracy would and did create and utilize corporations and other legal entities to promote, advance and facilitate the goals of the conspiracy and protect the conspiracy and its members and the financial rewards earned through the smuggling and distribution of cocaine.

31. It was further part of the conspiracy that the members of the conspiracy directed other conspirators to purchase, outfit, and utilize vessels, including some with secret compartments, to facilitate the smuggling of cocaine from South America to the United States and elsewhere.

32. It was further part of the conspiracy that members of the conspiracy would and did utilize money earned by the smuggling and distribution of cocaine to make payments to influence political and judicial decisions in Colombia, the United States and elsewhere, with the intent to advance the goals and objectives of the drug trafficking organizations and to obstruct the political and judicial processes in Colombia, Panama, United States and elsewhere.

33. It was further part of the conspiracy that the members of the conspiracy would and did misrepresent, conceal, and hide the true purposes of acts done in furtherance of the conspiracy.

All in violation of Title 21, United States Code, Section 963 and 960(b)(1)(B)(ii).

COUNT TWO

A. INTRODUCTION

1. Paragraphs 1 through 12 of the Introduction of the conspiracy section of Count One of this Indictment are hereby realleged and incorporated by reference.

B. THE CONSPIRACY

2. From an unknown date which was no later than 1988, and continuing thereafter up to and including the date of this Indictment, in the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, willfully and intentionally combine, conspire, and agree with other persons whose names are both known and unknown to the Grand Jury to possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841 and 959.

C. THE MANNER AND MEANS OF THE CONSPIRACY

3. Paragraphs 14 through 33 of the Manner and Means of the conspiracy section of Count One of this Indictment, which describe in part the manner in which the conspiracy set forth in Count One was conducted, are hereby realleged and incorporated by reference.

All in violation of Title 21, United States Code, Sections 846, 959 and 841(b)(1)(A)(ii)(II).

COUNT THREE

A. INTRODUCTION

1. Paragraphs 1 through 12 of the Introduction of the conspiracy section of Count One of this Indictment are hereby realleged and incorporated by reference.

B. THE CONSPIRACY

2. Beginning on an unknown date which was no later than 1988, and continuing thereafter up to and including the date of this Indictment, in the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, willfully and intentionally engage in a Continuing Criminal Enterprise by violating on three or more occasions various felony provisions of Title 21, United States Code, including but not limited to, Sections 841, 843(b), 846, 952, 959, and 963, and which violations include among others, the violations set forth in Counts One and Two of this Indictment and the violations set forth in the Predicate Acts portion of this count,

which violations were part of a continuing series of violations of said statutes undertaken by the defendant in concert with at least five other persons, with respect to whom the defendant occupied a position of organizer, supervisor, and leader and from which continuing series of violations the defendant obtained substantial income and resources.

C. THE MANNER AND MEANS OF THE CONSPIRACY

3. Paragraphs 14-33 of the Manner and Means of the conspiracy section of Count One of this Indictment, which describe in part the manner in which the conspiracy set forth in Count One was conducted, are hereby realleged and incorporated by reference.

D. PREDICATE ACTS

Predicate Act #1

In or about December 1990, in San Diego, California, in the Southern District of California, and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, intentionally, and unlawfully import into the United States from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 1,500 kilograms, in violation of Title 21, United States Code, Section 952, and Title 18, United States Code, Section 2.

Predicate Act #2

In or about December 1990, in San Diego, California, in the Southern District of California, and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, intentionally, and unlawfully possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 1,500 kilograms, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841 and 959, and Title 18, United States Code, Section 2.

Predicate Act #3

In or about May 1991 through June 1991, in Colombia, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, intentionally, and unlawfully possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 10,000 kilograms, knowing and intending that such substance would be unlawfully imported into the United States in violation of Title 21, United States Code, Section 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #4

In or about May 1991 through June 1991, in Colombia, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, intentionally, and unlawfully attempt to import into the United States five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 10,000 kilograms, in violation of Title 21, United States Code, Sections 952 and 963, and Title 18, United States Code, Section 2.

Predicate Act #5

In or about April and May 1991, in San Diego, California, in the Southern District of California, and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, intentionally, and unlawfully import into the United States from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 800 kilograms, in violation of Title 21, United States Code, Section 952 and Title 18, United States Code, Section 2.

Predicate Act #6

In or about April and May 1991, in San Diego, California, in the Southern District of California, and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, intentionally, and unlawfully possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 800 kilograms, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #7

In or about October and November 1991, in Colombia, Panama, the Southern District of California, the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, intentionally and unlawfully possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 355 kilograms utilizing the S/V Swiftsure, knowing and intending that such substance would be unlawfully imported into the United States in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #8

In or about October and November 1991, in Colombia, Panama, the Southern District of California, the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally attempt to import into the United States from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 355 kilograms utilizing the S/V Swiftsure, in violation of Title 21, United States Code, Sections 952, 960 and 963, and Title 18, United States Code, Section 2.

Predicate Act #9

In or about January 1992, in Colombia, Panama, and the Southern District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly, intentionally, and unlawfully possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 4,000 kilograms utilizing the M/V Harbour, (formerly the M/V Golden Hill), knowing and intending that such substance would be unlawfully imported into the United States in violation of Title 21, United States Code, Sections 841(a)(1), and 959, and Title 18, United States Code, Section 2.

Predicate Act #10

In or about January 1992, in Colombia, Panama, and the Southern District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally attempt to import into the United States from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 4,000 kilograms utilizing the M/V Harbour, (formerly the M/V Golden Hill), in violation of Title 21, United States Code, Sections 952, 960 and 963, and Title 18, United States Code, Section 2.

Predicate Act #11

In or about November 1993, in Colombia, S.A., the Southern District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 500 kilograms utilizing the M/V Lontue, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #12

In or about November 1993, in Colombia, S.A., the Southern District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally attempt to import into the United States from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 500 kilograms of cocaine utilizing the M/V Lontue, in violation of Title 21, United States Code, Sections 952, 960 and 963, and Title 18, United States Code, Section 2.

Predicate Act #13

In or about March 1995, in Colombia, S.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 3,000 kilograms, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #14

In or about March 1995, in Colombia, S.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 3,000 kilograms, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #15

In or about June 1995, in Colombia, S.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 4,000 kilograms, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #16

In or about June 1995, in Colombia, C.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable of cocaine, a schedule II controlled substance, to wit: approximately 4,000 kilograms, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #17

In or about December 1995, in Colombia, S. A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with the intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 6,000 kilograms, knowing and intending that such substance would be unlawfully imported into the United States in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #18

In or about December 1995, in Colombia, S. A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States, from a place outside thereof, five (5) kilograms or more or a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 6,000 kilograms, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #19

In or about January 1996 through February 1996, in Colombia, S.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: not less than 1,000 kilograms, knowingly and intending that such substance would be unlawfully imported into the United States in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #20

In or about January 1996 through February 1996, in Colombia, S.A., Mexico,
C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States, from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: not less than 1,000 kilograms, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #21

In or about January 1996 through February 1996, in Colombia, S.A., Mexico,
C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: not less than 1,000 kilograms aboard the F/V Ganimedes and F/V Recuerdo, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #22

In or about January 1996 through February 1996, in Colombia, S.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States, from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: not less than 1,000 kilograms aboard the F/V Ganimedes and F/V Recuerdo, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #23

In or about May 1996, in Colombia, S. A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: not less than 1,000 kilograms aboard the F/V Cadiz and F/V Recuerdo, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #24

In or about May 1996, in Colombia, S.A., Mexico, S.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States, from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: not less than 1,000 kilograms utilizing the F/V Cadiz and F/V Recuerdo, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #25

In or about June 1997, in Colombia, S.A., Mexico, C. A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: not less than 1,000 kilograms utilizing the F/V Cadiz and F/V Don Miguel, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #26

In or about June 1997, in Colombia, S.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States, from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: not less than 1,000 kilograms utilizing the F/V Cadiz and F/V Don Miguel, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #27

In or about September 1998, in Colombia, S.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 3,600 kilograms utilizing the F/V Faraon V and F/V Dona Rosa, knowing and intending that such substance would be unlawfully imported into the United States in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act # 28

In or about September 1998, in Colombia, S.A., Mexico, C.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: 3,600 kilograms utilizing the F/V Faraon V and F/V Dona Rosa, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #29

In or about February 1999, in Colombia, S.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 300 kilograms knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Section 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #30

In or about February 1999, in Colombia, S.A. and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally attempt to import into the United States, from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 300 kilograms, in violation of Title 21, United States Code, Sections 952, 960 and 963, and Title 18, United States Code, Section 2.

Predicate Act #31

From an unknown date, beginning approximately 1998, and continuing up to and including May 2000, in Colombia, S.A., the Eastern District of New York and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 1,100 kilograms, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #32

_____ From an unknown date, beginning no later than 1998, and continuing up to and including May 2000, in Colombia, S.A., the Eastern District of New York and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally import into the United States, from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 1,100 kilograms, in violation of Title 21, United States Code, Sections 952 and 960, and Title 18, United States Code, Section 2.

Predicate Act #33

In or about February 2000, in Colombia, S.A., the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 4,275 kilograms utilizing the FV Rebelde, knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act # 34

_____ In or about February 2000, in Colombia, S.A., the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally attempt to import into the United States, from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 4,275 kilograms utilizing the F/V Rebelde, in violation of Title 21, United States Code, Sections 952, 960 and 963, and Title 18, United States Code, Section 2.

Predicate Act #35

In or about March 2000 through April 2000, in Colombia, S.A., the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally possess with intent to distribute and distribute, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 3,500 kilograms utilizing the F/V Layne D knowing and intending that such substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Sections 841(a)(1) and 959, and Title 18, United States Code, Section 2.

Predicate Act #36

In or about March 2000 through April 2000, in Colombia, S.A., the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado,"

did knowingly and intentionally attempt to import into the United States, from a place outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a schedule II controlled substance, to wit: approximately 3,500 kilograms utilizing the F/V Layne D, in violation of Title 21, United States Code, Sections 952, 960 and 963, and Title 18, United States Code, Section 2.

All in violation of Title 21, United States Code, Section 848(a).

COUNT FOUR

A. INTRODUCTION

1. Paragraphs 1 through 12 of the Introduction of the conspiracy section of Count One of this Indictment are hereby realleged and incorporated by reference.

B. THE CONSPIRACY

2. From an unknown date which was no later than 1988, and continuing thereafter up to and including the date of this Indictment, in the Middle District of Florida and elsewhere, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado"

did knowingly and willfully combine, conspire, and agree with other persons both known and unknown to the Grand Jury, to commit the following offenses against the United States:

(a) to conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, knowing that the proceeds involved in the financial transaction represented the proceeds of some form of unlawful activity, when the financial transaction in fact involved the proceeds of specified unlawful activity, to wit: the importation, sale, and otherwise dealing in narcotic or other dangerous drugs, as defined in Title 21, United States Code, with the intent to promote the carrying on of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i); and

(b) to conduct and attempt to conduct a financial transaction, affecting interstate and foreign commerce, which transaction involved the proceeds of specified

unlawful activity, that is, the importation, sale and otherwise dealing in narcotic and other dangerous drugs, as defined in Title 21, United States Code, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and further knowing that the transaction was designed in whole or in part:

(1) to conceal or disguise the nature, the location, the source, the ownership and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and

(2) to avoid a transaction reporting requirement under State or Federal law, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii); and

(c) to transport, transmit, transfer and attempt to transport, transmit, and transfer monetary instruments and funds from a place in the United States to or through a place outside the United States and to a place in the United States from or through a place outside the United States

(1) with the intent to promote the carrying on of specified unlawful activity that is, the importation, sale and otherwise dealing in narcotic and other dangerous drugs, as defined in Title 21, United States Code, in violation of Title 18, United States Code, Section 1956(a)(2)(A); and

(2) knowing that the monetary instruments and funds involved represented the proceeds of some form of unlawful activity, and further knowing that such transportation, transmission, and transfer was designed in whole or in part

A. to conceal and disguise the nature, the location, the source the ownership, and the control of the proceeds of said specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i); and

B. to avoid a transaction reporting requirement under State and Federal law, in violation of Title 18, United States Code, Section 1956(a)(2)B(ii);

C. THE MANNER AND MEANS OF THE CONSPIRACY

3. Paragraphs 14-33 of the Manner and Means of the conspiracy section of Count One of this Indictment, which describe in part the manner in which the conspiracy set forth in Count One was conducted, are hereby realleged and incorporated by reference.

All in violation of Title 18, United States Code, Section 1956(h).

FORFEITURES

1. The allegations of Counts One through Four of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 21, United States Code, Section 853 and Title 18, United States Code, Section 982.

2. From his engagement in the violation(s) alleged in Counts One through Three of this Indictment, punishable by imprisonment for more than one year, the defendant,

JOAQUIN MARIO VALENCIA-TRUJILLO,
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado"

shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853(a)(1) and (2), all of his interest in any:

- a. Property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such violations; and

- b. Property used, or intended to be used, in any manner or part to commit, or to facilitate the commission of, such violations.

3. In addition, from his engagement in the violations alleged in Count Three of this Indictment, punishable by imprisonment for more than one year, the defendant

JOAQUIN MARIO VALENCIA-TRUJILLO
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado"

shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853(a)(3), all of his interest in, claims against, and property or contractual rights affording a source of control over, the continuing criminal enterprise.

4. From his engagement in the violations in Count Four, the defendant

JOAQUIN MARIO VALENCIA-TRUJILLO
a/k/a "Oscar Martinez," a/k/a "El Joven,"
a/k/a "El Abogado"

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982, any and all right, title, and interest he may have in any property, real or personal, involved in the money laundering offenses and all property traceable to such property, as a result of such violation fo Title 18, United States Code, Section 1956(a)(1), (2) and (h).

5. The property to be forfeited shall include, but not be limited to, the following: currency, real property, personal property, conveyances, bank accounts, jewelry, precious metals, insurance policies and other monetary and financial instruments.

6. If any of the property described above, as a result of any act or omission of the defendant :

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be divided without difficulty;

the United States shall be entitle to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p) and Title 18, United States Code, Section 982(b)(1).

All in violation of Title 21, United States Code, Section 853 and Title 18, United States Code, Section 982.

A TRUE BILL,

FOREPERSON

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United States Attorney

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Deputy Chief, Narcotics Section

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